

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: ETHICON WAVE 3 CASES	

**DEFENDANTS' NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE OF
DEBRA FROMER, M.D. FOR WAVE 3**

Come now, the Defendants, and hereby adopt and incorporate by reference Defendants' prior Daubert response in Ethicon Wave 1, Case No. 2:12-md-02327, ECF No. 2151 ("Defendants' Wave 1 Response") to Plaintiffs' Motion to Exclude or, in the Alternative, to Limit the Opinions and Testimony of Debra Fromer, M.D., ECF No. 2081 ("Plaintiffs' Wave 1 Motion").

This notice applies to all Wave 3 cases.

Defendants acknowledge that on August 31, 2016, the Court issued a Memorandum Opinion and Order, ECF No. 2702 (the "Order") GRANTING Plaintiffs' Wave 1 Motion in part, DENYING it in part, and RESERVING judgment in part.

Where the Court DENIED Plaintiffs' Wave 1 Motion, Defendants respectfully request that the Court adopt the same ruling in all Wave 3 Cases for the reasons set forth in Defendants' Wave 1 Response and the Court's Order.

Where the Court otherwise GRANTED or RESERVED judgment on Plaintiffs' Wave 1 Motion, Defendants acknowledge the Court's ruling, and acknowledge the same circumstances apply in Wave 3, but preserve their right to challenge the ruling on appeal.

October 11, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2016, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Kelly S. Crawford
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